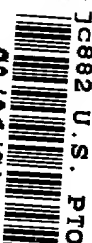


09/26/01



J1000 U.S. PTO

9-27-01

A

NEW UNITED STATES UTILITY PATENT APPLICATION TRANSMITTAL

Atty. Docket No.: 17633/123

J1000 U.S. PTO

09/963875



09/26/01

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EL728733328US** on this date, **September 26, 2001**, postage prepaid, in an envelope addressed to Box: Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Kathleen Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Enclosed herewith is a new patent application of:

First Named Inventor (or application identifier): Habener

Title of Invention: **Stem Cells of the Islets of Langerhans and Their Use in Treating Diabetes Mellitus**

1. Type of application:
2. Continuation of:
3. Continuation-in-Part of:
4. Divisional of:
5. and includes the following papers:
6. Specification 86 pages (including specification, claims, abstract)/103 claims (21 independent)
7. Declaration/Power of Attorney is:
8. attached executed unexecuted
9. NOT included, but deferred under 37 C.F.R. § 1.53(f).
10. 25 Distinct sheets of Formal Informal Drawings
11. Preliminary Amendment.
12. Information Disclosure Statement
13. Form 1449
14. A copy of each cited prior art reference
15. Assignment with Recordation Cover Sheet.
16. Priority is hereby claimed under 35 U.S.C. § 119 based upon the following application(s):

- Type: ☐ New
☐ Continuation of:
☒ Continuation-in-Part of: 09/731,261
☐ Divisional of:

and includes the following papers:

☒ Specification 86 pages (including specification, claims, abstract)/103 claims (21 independent)☒ Declaration/Power of Attorney is:

☒ attached ☐ executed ☒ unexecuted
☐ NOT included, but deferred under 37 C.F.R. § 1.53(f).

☒ 25 Distinct sheets of ☐ Formal ☒ Informal Drawings☐ Preliminary Amendment.☐ Information Disclosure Statement☐ Form 1449☐ A copy of each cited prior art reference☐ Assignment with Recordation Cover Sheet.☒ Priority is hereby claimed under 35 U.S.C. § 119 based upon the following application(s):

Country	Application Number	Date of Filing (day, month, year)
US	60/169,082	6 December 1999
US	60/215,109	28 June 2000
US	60/238,880	6 October 2000

8. ☒ Priority is hereby claimed under 35 U.S.C. § 120 based upon the following application(s):

Country	Application Number	Date of Filing (day, month, year)
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NEW UNITED STATES UTILITY PATENT APPLICATION TRANSMITTAL

Atty. Docket No.: 17633/1235

US	09/731,261	6 December 2000
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9. ☐ Priority document(s).
10. ☒ Statement of Small Entity Status, Pursuant to 37 C.F.R. §1.27.
11. ☐ Microfiche Computer Program (Appendix).
12. ☐ Nucleotide and/or Amino Acid Sequence Submission.
☐ Computer Readable Copy.
☐ Paper Copy (identical to computer copy).
☐ Statement verifying identity of above copies.
13. ☐ Request for Non-Publication and Certification under 35 USC 122 (b)(2)(B)(i)
14. Calculation of Fees:

FEES FOR	TOTAL CLAIMS	EXCESS CLAIMS	FEE	AMOUNT DUE
Basic Filing Fee (37 C.F.R. § 1.16(a))				\$710.00
Total Claims in Excess of 20 (37 C.F.R. § 1.16(c))	103	83	\$18.00	\$1,494.00
Independent Claims in Excess of 3 (37 C.F.R. § 1.16(b))	21	18	\$80.00	\$1,440.00
Multiple Dependent Claims (37 C.F.R. § 1.16(d))	Y		\$270.00	\$270.00
Subtotal - Filing Fee Due				\$3,914.00
Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28)	MULTIPLY BY 0.50			\$1,957.00
TOTAL FILING FEE DUE				\$1,957.00
Assignment Recordation Fee (if applicable) (37 C.F.R. § 1.21(h))	0		\$40.00	
GRAND TOTAL DUE				\$1,957.00

15. PAYMENT is:
☐ included in the amount of _____ by our enclosed check. The Commissioner is hereby authorized to charge any deficiencies in the fees to Deposit Account 16-0085, Ref. _____
☒ not included, but deferred under 37 C.F.R. § 1.53(f).

16. All correspondence for the attached application should be directed to:

Kathleen Williams
Customer Number 27495

17. Other: _____

Respectfully submitted,

Date: September 26, 2001

By: _____

Name: Kathleen Williams
Registration No.: 34,380

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Habener, et al.
Serial No.: Not Yet Assigned
Filed: September 26, 2001
Entitled: Stem Cells of the Islets of Langerhans
and Their Use in Treating Diabetes

CERTIFICATE OF MAILING UNDER 37 CFR §1.10

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EL728733328US** on this date, **September 26, 2001**, postage prepaid, in an envelope addressed to Box: Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Kathleen Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

Box: Patent Application
Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Enclosed for filing in the above-identified patent application, please find the following documents:

1. New Patent Application Transmittal;
2. Patent Application, (86 pages);
3. (25) sheets of informal drawings of Figs 1-22;
4. Unexecuted Declaration/Power of Attorney; and
5. Return Post Card.

Pursuant to 37 C.F.R. § 1.27, Applicant claims small entity status. Payment of the requisite filing fee has been deferred under 37 C.F.R. §1.53(f).

Respectfully submitted,

Date: September 26, 2001


Kathleen Williams

Registration No.: 34,380

Customer No.: 27495

Palmer & Dodge LLP

One Beacon Street

Boston, MA 02108

Tel: 617-573-0100